



RESPONSE TO OFFICE ACTION

This document is in response to the Office Action dated 06-17-2004, for the above-cited application.

Claim 8 was amended to enclose the apparatus claimed in this Application and to clarify subject matter being claimed.

Applicant respectfully submits that these objections and rejections are obviated or traversed by the filing of the accompanying rewritten Amendment and by the arguments made in this letter to the Examiner.

THE OFFICE ACTION

The Office Action made rejection of 4 as provisionally rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 2 of copending Application No. 09/982,044.

Claim 2 of copending Application 09/982,044 discloses a one-piece marker with **sagged arcuate top that includes a hole for in-place injection of resinous structural material**. Page 22, line 3&4.

Also the apparatus of Application 09/982,044 is a **one part marker (one-piece)** with two inclined planar faces; pg.22, line 6.

The apparatus of present Application has **one inclined reflective face and a back surface vertical to the base surface** and planar top without a sagged top region.

Unlike the -044 application which has interior cavities that requires structural fill material, the apparatus of the present Application has built-in structural support elements, claim8, line 2.

Another distinct feature of the apparatus of this application is that the upper row of reflective cells, which are defined by the one row of hollow cavities are open within the vertical backside.

Therefore, the novel and distinct new matters in both applications would not create a prima facie case of obviousness.

For the foregoing reasons, it is believed that the claim of the present application are in condition for allowance.

Allowance of all claims respectfully is requested. Thank you.

Adil Attar



BRIEF DESCRIPTION OF THE DRAWINGS

The advantages and unique features of this invention will be better understood by reference to the drawings. These drawings are schematics, no scale used. In the drawings:

FIG. 1 is an isometric view of one of the preferred one-piece pavement marker of the invention;

FIG. 2 is a plan view of the pavement marker illustrated in FIG. 1;

FIG. 3 is another isometric view of pavement marker in FIG. 1 showing the base portion with grooved surface and the end opening for the hollow recesses;

FIG. 4 is a cross section view taken along the line 4-4 in FIG. 2;

FIG. 5 is an isometric view of a thin plate that can be used to seal the ends of hollow recesses;

FIG. 6 is a section view along line 6-6 in FIG. 4 showing partly grooved surfaces of a hollow cavity;

FIG. 7 is an isometric view of yet another embodiment of one-piece marker of the invention;

FIG. 8 is a plan view of the marker in FIG. 7;

FIG. 9 is a cross section view taken along the line 13-13 in FIG. 8;

FIG. 10 is isometric view of the marker in FIG. 7 showing the base surface and the back portion;

FIG. 11 is an isometric view of a sealing plate for the base of marker in FIG. 7;

FIG. 12 is an isometric view of two welded markers of FIG. 7;

FIG. 13 is a plan view of the marker in FIG. 12;

FIG. 14 is a cross section view taken along the line 18-18 of the marker in FIG. 13.

FIG. 15 (FIG. Prior Art 15) is an isometric view of conventional slurry seal delineator.

FIG. 16 (FIG. Prior Art 16) is schematic view of a temporary pavement marker.

FIG. 17 is an isometric view of preferred delineator made in accordance to the invention.

FIG. 17b is isometric view of delineator of FIG. 17 before sonically welding the two sides.

FIG. 18 is an isometric view of barrier-delineator, manufactured in accordance to the invention.

FIG. 19 is isometric view of another barrier-delineator based on the present invention.

FIG. 20 is isometric view of a dual use delineator- temporary marker as per this invention.

FIG. 21 is another isometric view of marker in FIG. 20 showing the base surface.

FIG. 22 is an elevation view of the delineator of FIG. 20 showing both top and lower body.

FIG. 23 is an elevation view of delineator of FIG. 20 without the top portion.

FIG. 24 is an isometric view of one side of delineator of FIG. 20, showing the backside.

FIG.25 is an isometric view of yet another reflective marker with one reflective side as per this invention.

FIG.26 is another isometric view of reflective marker of FIG.25 with multiple reflective cells.

FIG.27 is an elevation view of reflective marker of FIG.25 showing one reflective face.

FIG.28 is a plan view of marker of FIG.25 showing planar base surface with open ends of hollow cavities.

FIG.29 is cross section view along line29-29 in FIG.26 showing micro cube corner reflective elements.

FIG.30 is an isometric view of yet another preferred low profile reflective marker of present invention.

FIG.31 is another isometric view of the reflective marker of FIG.30 showing the base surface.

FIG.32 is an isometric view of one part of the reflective marker of FIG.30 showing back and base area.

FIG.33 is an elevation view of the reflective marker of FIG.30.

FIG.34 is a cross sectional view of the reflective marker of FIG.30 taken along line 34-34 in FIG.33.

FIG.35 is plan view of a rectangular reflective cell showing multiple micro cube corner reflective elements.

FIG.36 is another preferred rhombic shaped reflective cell with deferent type of micro reflective elements

FIG.37 is yet another shape of a reflective cell that can be used for markers of the present invention.